

Application No.: 09/401,004

REMARKS

Reexamination and reconsideration of this application is requested pursuant to 37 C.F.R. § 1.114. This submission is in response to the final rejection. Claims 41-71 have been canceled without prejudice or disclaimer. Claims 1-40 were previously canceled. Applicant reserves the right to present a divisional applications on the non-elected inventions and species.

New claims 72-85 are presented for examination on the merits. It is believed that the new claims are patentable over the prior art of record and satisfy the requirements of 35 U.S.C. § 112. While Applicant does not agree with the Examiner's position with respect to the proviso provision as being new matter for reasons of record, in order to advance the prosecution, the objected to proviso has not been carried over into the new claims.

Claims 72-83 and 88 are readable on the elected species, even though the Examiner found the original elected species free of prior art.

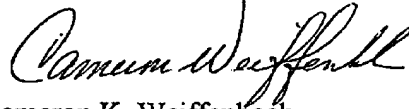
To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. § 1.17 and in connection

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with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



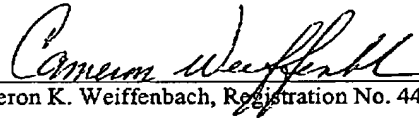
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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to 571 273-8300 on the date shown below.



Cameron K. Weiffenbach, Registration No. 44,488

Date: July 3, 2006